

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tung Ming Fong, et al.

Serial No. 09/581,894

Filed: August 21, 2000

For: C-TERMINAL REGION OF  
AGOUTI-RELATED TRANSCRIPT (ART)  
PROTEINArt Unit: 1646Examiner: Kemmerer#14  
A.G.J.  
12/31/02Assistant Commissioner for Patents  
Washington, D.C. 20231INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK &amp; CO., INC.

By \_\_\_\_\_ Date \_\_\_\_\_

**INFORMATION DISCLOSURE STATEMENT**

4. Except for Cite Nos. \_\_\_\_\_, copies of the references listed on the attached form are not enclosed because they have been submitted to or cited by the Office in a related application as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

upon which the instant application relies for an earlier filing date under 35 U.S.C. 120. Therefore, pursuant to 37 C.F.R. 1.98(d), copies of these references are not enclosed herewith. If this is inconvenient, additional copies will be submitted upon request.

5. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☒ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

  
By: Alysia Finnegan  
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Date: 12/6/02

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>COMPLETE IF KNOWN</b>			
		Application Number	09/581,894		
		Filing Date	August 21, 2000		
		First Named Inventor	Tung Ming Fong, et al.		
		Group Art Unit	1646		
		Examiner Name	Kemmerer		
Sheet	1	of	1	Attorney Docket Number	20146P

OTHER NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		Shutter, et al. 1997; Genes & Development 11:593-602
		Fong, et al.; Biochem, Biophys. Res. Comm. 237:629-631
		Ollman et al. 1997; Science 278:135-138
		Mountjoy et al. 1994 Mol. Endo Crinol 8:1298-1308
		Bray; 1997 Nutr. Rev. 45:33-43
		Huszar, et al. 1997 Cell 88:131-141
		Stark, 1996 EMBJ 5:1995-2002 (1986)
		Kwon 94 PNAS 91:9760-64

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609.  
Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.